



WP(MD). No.20503 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 26/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.20503 of 2024

Kamerdeen J

... Petitioner

Vs

1. The Government of India,
Rep by Secretary,
Ministry of External Affairs,
New Delhi.

2. The Regional Passport Officer,
Passport Office,
Bharathi Ula Road,
Madurai,
Madurai District.

3. The Inspector of Police,
Immigration Unit,
Madurai Airport,
Tamilnadu.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records and proceedings of the 2nd respondent in impounding the petitioner's passport bearing No.M7067887 vide



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intimation letter dated 18.12.2019 and to quash the same and consequently to direct the respondents to release the petitioner's passport withheld by the 3rd respondent vide letter in C.No.02-01/Doc-V/PRO-MDU/2024, dated 05.04.2024 by considering the petitioner's representation dated 19.08.2024 within a time period that may be stipulated by this Court.

(Prayer amended vide order of this Court dated 26.09.2024 in W.M.P. (MD)No.19329/2024 in W.P.(MD)No.20503/2024)

For Petitioner : Mr.P.Yasmin Begum,
For Respondents : Mr.C.Nandagopal

ORDER

The writ petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus calling for the records and proceedings of the 2nd respondent in impounding the petitioner's passport bearing No.M7067887 vide intimation letter dated 18.12.2019 and to quash the same and consequently to direct the respondents to release the petitioner's passport withheld by the 3rd respondent vide letter in C.No. 02-01/Doc-V/PRO-MDU/2024, dated 05.04.2024 by considering the petitioner's representation dated 19.08.2024 within a time period that may be stipulated by this Court.



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2. Due to matrimonial dispute, a case has been registered in Crime No.4/2011 on the file of the Inspector of Police, All Women Police Station, Madurai Town, Madurai and the case was pending in S.C.No. 374/2024, before the District & Sessions Court (Mahila), Madurai. For the non appearance of the petitioner, non bailable warrant came to be issued, and his passport has also been impounded. It is now submitted that the matrimonial dispute has also been amicably settled between the petitioner and his wife. Based on the said compromise entered into between them, the petitioner has also filed a quash petition before this Court and the same is pending in CrI.O.P.(MD)SR32189/2024.

3. I have considered the rival submissions and perused the materials available on record.

4. Today, the defacto complainant, who is the wife of the petitioner appeared through video call and she was identified by the learned counsel appearing for the petitioner and on a query, she has admitted that she has filed an affidavit before this Court and the matrimonial dispute between herself and the petitioner is compromised and she has no



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objection for releasing the passport of the petitioner. The said statement is recorded.

5. Since the matrimonial dispute pending against the parties has been settled, there may not be any difficulty for the respondents to release/return the passport of the petitioner.

6. For all these reasons, this Writ Petition is allowed and the impugned order passed by the 2nd respondent dated 18.12.2019 is quashed. The 2nd respondent is directed to release/return the passport of the petitioner forthwith. The writ petition is allowed accordingly. No costs.

26.09.2024

RR

Note: Issue order copy today (ie. 26.09.2024)



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N.SATHISH KUMAR,J

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**ORDER
IN
WP(MD) No.20503 of 2024**

Date : 26/09/2024